

INTERVIEW SUMMARY
Work Assignment ES002
Lower Darby Creek Area Site

Bruce Beitler



Prepared for:

U.S. Environmental Protection Agency
Region III
Enforcement Support Services
Hazardous Site Cleanup Division
1650 Arch Street
Philadelphia, PA 19103

Prepared by:

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Work Assignment Number:
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EPA Work Assignment Manager:
Telephone Number:
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Interviewer:

ES002
August 8, 2002
68-S3-01-01
Carlyn Prisk
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Nonresponsive based on revised scope.
Nonresponsive based on revised scope.
Nonresponsive based on revised scope.

Tri-State Enterprise

Name: Bruce Beitler (WITNESS)
PA Department of Environmental Protection (PADEP)
555 North Lane, Suite 6010 Lee Park
Conshohocken, PA 19428

Affiliation: PADEP Inspector at the Folcroft and Clearview Landfill

Telephone: (b) (6)(b) (6)

Type of Interview: In-Person

Date of Interview: August 5, 2002

On August 5, 2002 the WITNESS was interviewed at PADEP, 555 North Lane, Conshohocken, PA by Nonresponsive based on revised scope of Tri-State Enterprise. The WITNESS was interviewed as part of the potentially responsible party search currently being conducted under Work Assignment NO. ES-002 involving the Lower Darby Creek Area, Delaware County, PA (the "Site"). This interview focused on the Folcroft Landfill ("Folcroft") and the Clearview Landfill ("Clearview"). The WITNESS was provided with a copy of the letter of introduction, advised of the nature of the questions to be asked and advised that the interview was voluntary. This interview was not tape-recorded. The following individuals were also present during this interview.

- Brian Nishitani, Esq.: Attorney representing the United States Environmental Protection Agency, Region III.
- Anderson Hartzell, Esq.: Attorney representing PADEP. Present during a portion of the interview.
- William Blasberg, Esq.: Attorney representing PADEP. Present during a portion if the interview.

During the course of this interview, the WITNESS responded to questions based on guidelines provided by the United States Environmental Protection Agency for government employees.

The WITNESS was shown a map of the Folcroft Landfill and a sketch of the Clearview Landfill and the map and sketch were used throughout the interview.

The WITNESS was asked to explain his association with the Site.

The WITNESS stated that in 1971 the State of Pennsylvania formed the Department of Environmental Resources ("PADER"), Division of Solid Waste. The WITNESS stated that he has transferred from the Pennsylvania Department of Health to the Division of Solid Waste in 1971. He indicated that he was a solid waste inspector for the southeast region of Pennsylvania from 1971 to 1978. The WITNESS stated that one of his duties was to inspect Folcroft and Clearview on a monthly basis to insure compliance with PADER regulations.

He indicated that initially the regulations covering the management of solid waste consisted of only 38 pages. He indicated that he was primarily concerned with rodent control and that the waste was properly covered at the Clearview and Folcroft Landfills.

The WITNESS agreed to speak about each Landfill separately.

Folcroft Landfill:

The WITNESS stated that when he began inspecting the Folcroft Landfill in 1971 the perimeter and annex to the Landfill had already been filled and that the only area that was used for fill was the center of the Landfill. He indicated that from 1971 to 1978 the Landfill was filled at the center in a vertical manner. He indicated that he never observed the perimeter or annex area of the Landfill being used. The WITNESS stated that he believed the Folcroft Landfill had been in use since the late 1940s. The WITNESS stated that when the Landfill closed the fill was about 30-40 feet above grade.

When asked to explain his duties when he inspected Folcroft. The WITNESS stated that he would initially walk the perimeter to detect any leaching on the perimeter slopes of Folcroft. The WITNESS stated that he then would inspect the fill areas to determine if the fill areas were being covered properly.

When asked the name of the individual that he met with that represented the Folcroft, the WITNESS stated Ed Mullen. He indicated that Ed Mullen was the General Manager at Folcroft. He indicated that Ed Mullen was very difficult to deal with and that the Landfill was not often in compliance with PADER regulations.

When asked the names of any other individuals he had contact with at Folcroft, the WITNESS stated that when Ed Mullen died in about 1974, Bernie McHugh took over as the lead representative of the Folcroft Landfill Corporation. He indicated that Bernie McHugh became General Manager and that he met with McHugh when he inspected the Landfill.

When asked if Folcroft was required by PADER to maintain any records, the WITNESS stated that they were required to maintain a record showing the tonnage of waste that was accepted each week. The WITNESS stated that this record was maintained by Folcroft and was not filled with PADER. He indicated that he would inspect the sheet at each inspection. The WITNESS could not recall any specific information on this sheet.

The WITNESS stated that Folcroft gave each truck that entered the Landfill a ticket that he believed was used for billing purposes. He indicated that he did not know what information was recorded on these tickets.

When asked the names of any transporters that he observed disposing of waste at the Folcroft Landfill, the WITNESS stated that he had observed numerous trucks at the Landfill but could not recall the names of most of these transporters. He indicated that he observed trucks from Eastern Industrial at the Landfill on numerous occasions. He indicated that he recalls an incident when numerous monkey carcasses were disposed of at the Landfill. He indicated

that he believed they were brought to the Landfill by Eastern Industrial. When asked where the monkey carcasses were from, the WITNESS stated that he did not know for sure but thought they were laboratory monkeys from the University of Pennsylvania.

When asked if he had observed liquid waste or drum waste disposed of at the Site the WITNESS stated yes. The WITNESS stated that on numerous occasions he observed 6,000-gallon tanker trucks disposing of liquid waste. He indicated that the trucks would dispose of the waste in the general fill area and the waste would be allowed to seep into the ground. The WITNESS stated that he observed numerous steel drums disposed of at the Landfill but was unable to recall any markings on the drums or the names of the transporters who brought the drums into the Landfill.

When asked if incinerator ash from the Delaware County incinerator was disposed of at Folcroft, the WITNESS stated yes. He indicated that this ash was from incinerator #2 and that this incinerator ash was also disposed of at the Clearview Landfill.

When asked when the Folcroft Landfill was closed the WITNESS provided the following.

The WITNESS stated that PADER filed suit against the Folcroft Landfill in about 1974. The WITNESS stated that Tom Weston, Esq. represented PADER in this litigation. He indicated that the initial court order to close the Folcroft Landfill was appealed to the Commonwealth Court. He indicated that the Folcroft Landfill continued to operate as a Landfill until about 1978 when the Commonwealth Court upheld the lower court order to cease accepting waste and closed Folcroft.

The WITNESS stated that the perimeter fill at the Folcroft Landfill was built into the surrounding marsh. He indicated that at low tide leaching from the Landfill could be seen on the slopes of the perimeter of the Landfill.

The WITNESS stated that in about 1978 the Folcroft Landfill Corporation was required to close the Folcroft Landfill in accordance with State regulations.

The WITNESS stated that the PADER regulations at the time required the following to close the Landfill.

- Extinguish any fires
- Cover the fill area with dirt
- Seed fill area and manage growth for one year.

The WITNESS stated that at the time Folcroft Landfill had an underground smoldering fire located on the north slope of the Landfill. He identified this location on the map. The WITNESS stated that Folcroft contracted with the Buckley Excavating Company to excavate the area of the fire and put the fire out. The WITNESS stated that it took about one year to completely extinguish this fire. The WITNESS stated that Buckley pulled up the burning

waste and this waste was sprayed with water until any smoldering was extinguished. The WITNESS stated that most of this waste was timber and wood.

The WITNESS stated that after the fire was extinguished the Folcroft Landfill Corporation contracted with other companies to bring in fill dirt used to cover the entire Landfill. The WITNESS stated that most of this fill dirt came from the excavation of the Mingo Creek surge basin in conjunction with the construction of I-95 at the Philadelphia Airport.

When asked if any fill dirt used at Folcroft came from a refinery, the WITNESS stated yes. The WITNESS stated that Sunoco was replacing or excavating a storage tank. He indicated that the soil from this project was also used as Landfill cover. The WITNESS stated that this soil was tested for petroleum contamination and bacterial contamination before use at Folcroft.

The WITNESS was asked if Tri-County Hauling operated out of the Folcroft Landfill. The WITNESS stated yes and indicated that Tri-County Hauling stored and maintained their equipment in a garage at the main building leading into the Landfill. The WITNESS stated that roll-off containers were also stored at this location.

When asked if Tri-County was still operating at this location after the Folcroft Landfill ceased operations, the WITNESS stated that he could not recall.

Clearview Landfill:

The WITNESS stated that he started inspecting the Clearview Landfill at the same time he began inspecting the Folcroft Landfill in 1971. He indicated that Clearview Landfill had been in operation for many years prior to 1971. He indicated that he believed Clearview was operating as a Landfill in the early 1950s and possibly in the 1940s.

The WITNESS stated that PADER took legal action against Clearview to close the Landfill in about 1976. He indicated that Doug Blazey, Esq. represented PADER and the action was brought in the Delaware County Court of Common Pleas. The order to cease operations was issued by Judge Reed in 1978. The WITNESS stated that Clearview ceased taking waste at that time.

The WITNESS stated that there was no fire at Clearview and that the closure order only required that the landfill be covered and seeded.

When asked to describe the inspections he conducted at Clearview, the WITNESS stated that he always dealt with Richie Heller who was the representative for the Clearview Landfill Development Corporation. The WITNESS indicated that he would always walk the perimeter of the Landfill to identify any leaching problems. The WITNESS indicated that there was a large area of ponded water at the bottom of the Landfill slope on the northeast side of the Landfill.

The WITNESS stated that he never observed the perimeter area being used as fill area. He indicated that in 1971 when he became involved with Clearview the fill was growing vertically and was about 90-feet above grade when the Landfill closed.

When asked the names of any transporters who disposed of waste at Clearview, the WITNESS stated that he recalled numerous City of Philadelphia trash trucks using the Landfill. He indicated that most of the City of Philadelphia municipal waste was disposed of at Clearview. He also stated that incinerator ash from Delaware County Incinerator #2 was disposed of at Clearview.

When asked the names of any commercial waste transporters that disposed of waste at Clearview, the WITNESS stated that he could not recall. The WITNESS stated that the City of Philadelphia may have contracted out some of the City's waste disposal to private contractors. He indicated that the Streets Department may have information about contracted waste haulers.

When asked if Clearview accepted incinerator ash from any of the incinerators in Philadelphia, the WITNESS stated that he did not know for sure. He indicated that this incinerator ash may have been disposed of at a transfer station located in south Philadelphia and operated by Lou Paulino.

The WITNESS stated that Darby Township also disposed of municipal waste at Clearview.

The WITNESS stated that when the order to close the Landfill was final, Richie Heller contracted with Histler Landscaping to re-grade the slopes and plant seed.

The WITNESS stated that after the Clearview Landfill was closed, Heller rented out space to the following.

- Asphalt Plant
- Cedar Furniture Manufacturer
- A drum reconditioning company
- Three transfer stations: One was named Bizarre Transfer Station.

The WITNESS stated that PADER continued to inspect this site and provided the name of the following individuals that inspected Clearview Landfill property after the Landfill was closed.

- Vic Janosik
- Frank Holmes

When asked if Heller operated his trash Company known as Citywide Services out of the Clearview Landfill location, the WITNESS stated yes. The WITNESS stated that he also recalls seeing other trash trucks at this location and he recalled Lafferty Trucking as one of these companies.

When asked if he recalled any liquid waste transporters disposing of waste at Clearview, the WITNESS stated that he could not recall any names. He indicated that he did observe tanker trucks dispose of waste at Clearview from time to time. He indicated that this was not as frequent as at Folcroft. The WITNESS stated that he does recall seeing some drums at Clearview but does not recall any markings on the drums.

"I declare under penalty of perjury that the foregoing is true and correct."

Executed on _____ Signed _____
(Date) (Name)

Interviewer's Comments and Suggested Follow-up Interviews

Interviewer Comments: The WITNESS was cooperative and forthcoming during this interview. He was a wealth of historical information. As he indicated, when PADER's Solid Waste Department was formed there were only 38 pages of regulations and none were concerned with PRP's or types of waste that was disposed of at Landfills.

Prior to the beginning of this interview, the PADEP attorney, Mr. Hartzell, and the WITNESS were advised that under normal interview conditions when interviews are conducted with civilians the interviewee is advised of their right to an attorney and are asked if they want an attorney present. I asked if this formality could be waived and was advised by Mr. Hartzell that this formality can be waived.

When asked if he wanted his name kept confidential to the extent possible, the WITNESS stated that he did not care.

Suggested follow-up Interviews: The WITNESS provided the names of the following individuals that may have information of waste disposal activities.

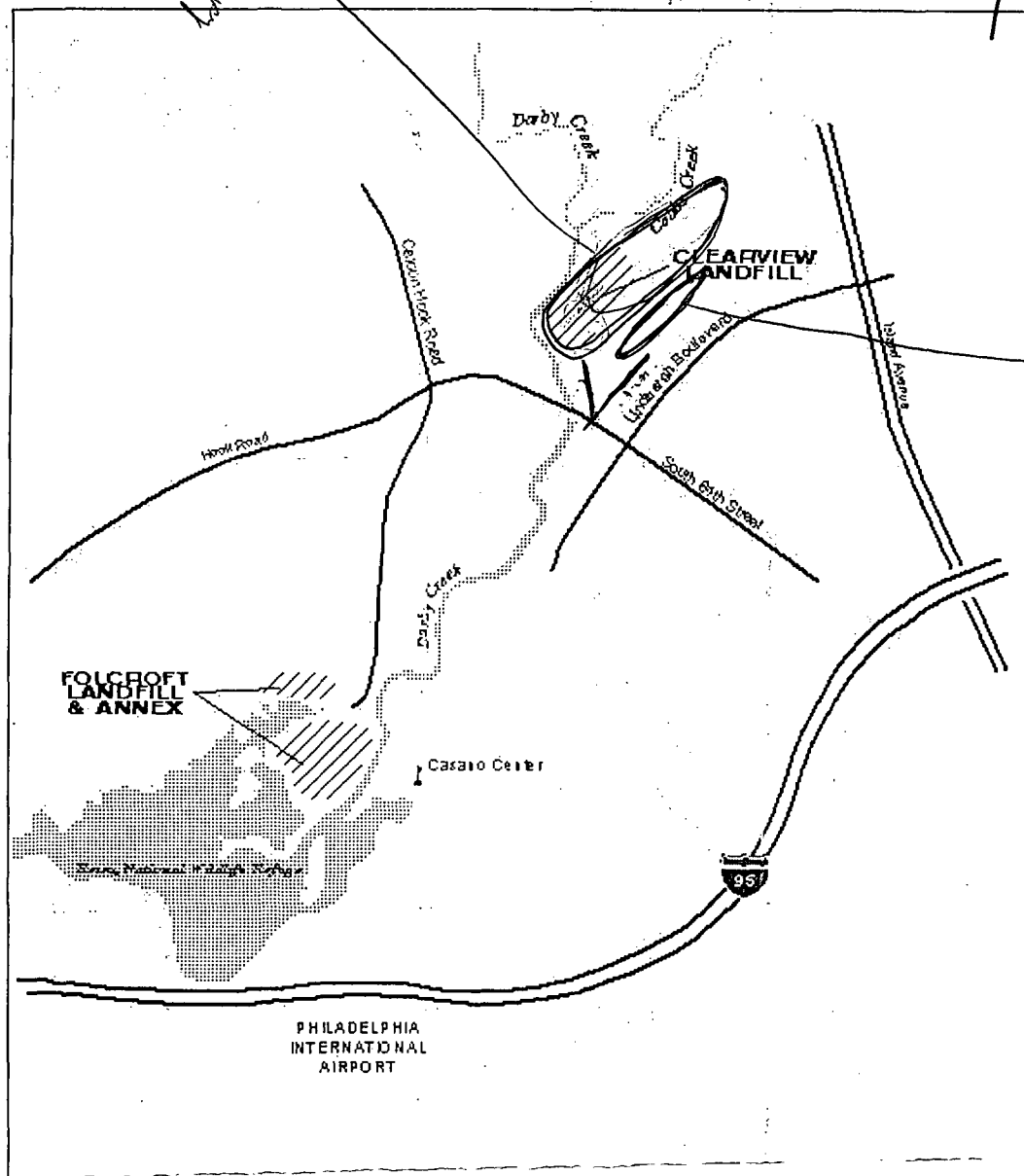
- Lou Paulino
- Vic Janosik
- Frank Holmes

BRUNE BEITLER

8/5/02

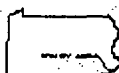
ADULT WING
JUN 10

ROCKED WING



LOWER DARBY CREEK AREA SUPERFUND SITE
Primary Investigation Areas - Clearview and Folcroft Landfills

Map is based on aerial photography from 1994 and 1995. The map is not to scale. The map is not to be used for navigation. The map is not to be used for legal purposes. The map is not to be used for any other purpose.



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GRAPHICAL SCALE
1" = 0.2500 Miles
0 0.25 0.5 0.75 1.0 1.25 1.5 1.75 2.0 Miles

LEGEND
CLEARVIEW LANDFILL
FOLCROFT LANDFILL & ANNEX
DARBY CREEK
CENTENNIAL CREEK
HOOT ROAD
LINCOLN BOULEVARD
SOUTH 6TH STREET
CARATO CENTER
PHILADELPHIA INTERNATIONAL AIRPORT

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